

State of South Dakota

SEVENTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 1999

607C0361

HOUSE BILL NO. 1129

Introduced by: Representatives Solum, Apa, Fiegen, Fischer-Clemens, Konold, and Roe and
Senators Olson, Brown (Arnold), Dunn (Jim), Rounds, and Shoener

1 FOR AN ACT ENTITLED, An Act to require the licensing of certain plumbers.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 Section 1. That § 36-25-1 be amended to read as follows:

4 36-25-1. Terms used in this chapter, ~~unless the context otherwise requires,~~ mean:

5 (1) "Commission," the State Plumbing Commission created by this chapter;

6 (2) "Plumber," any person other than a plumbing contractor who, as ~~his~~ principal
7 occupation, is engaged as an employee of, or otherwise working under, the direction
8 of a plumbing contractor in the installation of plumbing, and who is lawfully qualified
9 and registered as a plumber pursuant to the provisions of this chapter;

10 (3) "Plumber's apprentice," any person, ~~other than a plumber or plumbing contractor,~~ who
11 is engaged in working as an employee of a plumbing contractor under the immediate
12 and personal supervision of either a plumbing contractor or plumber in learning and
13 assisting in the installation of plumbing;

14 (4) "Plumbing," the practice of, and the furnishing and/or the use of materials and fixtures
15 in the installation, extension, and alteration of all piping, fixtures, appliances, and
16 appurtenances in connection with sanitary drainage or storm drainage facilities, the

venting system and the public water supply systems, within or adjacent to any building, structure, or conveyance; and including the installation, extension, or alterations of the storm water, liquid waste, or sewerage and water supply systems of any premises to their connection with any point of public disposal, or other regulated terminal;

(5) "Plumbing contractor," any person qualified and skilled in the planning, superintending, and the practical installation of plumbing, and otherwise qualified and registered to contract for plumbing installations and conduct the business of plumbing, and familiar with the laws; and rules; and regulations governing the same plumbing;

(6) "Plumbing repair work," repairs to keep plumbing in an existing state including repair and replacement of faucets, valves in existing systems, repair of leaks in existing water and waste systems, replacement of damaged water closet and lavatory fixtures if it does not involve changes in rough-in, replacement of temperature and pressure relief valves on existing systems, or cleaning of sewer lines. Plumbing repair work does not include cutting into or extending water or waste lines or rough-in for new plumbing work of any kind.

Section 2. That § 36-25-17 be amended to read as follows:

36-25-17. No person ~~shall engage in or do work as a plumbing contractor, plumber, or plumber's apprentice in any municipality of over fifteen hundred population as shown by the last federal decennial census unless registered to do so by the commission; provided, that any person may do plumbing work which complies with the provisions of the minimum standards prescribed by the commission on property owned and occupied by him, or on premises where he may be employed in full-time maintenance work~~ may engage in the business of installing plumbing for which a license is required pursuant to § 36-25-14 on any property which is in connection with a public system or waterworks or sewerage unless that person is licensed by the commission. No

1 license is required of a person who does the following work in compliance with the provisions
2 of the minimum standards prescribed by the commission:

3 (1) Plumbing work on premises or that part of the premises owned and actually occupied
4 by the person as the person's residence;

5 (2) Plumbing repair work on premises where the person is employed and performing the
6 plumbing repair work; or

7 (3) Plumbing repair work on the person's own property.

8 Section 3. That chapter 36-25 be amended by adding thereto a NEW SECTION to read as
9 follows:

10 Any person who provides satisfactory evidence to the commission on or before July 1, 2000,
11 that the person was continually engaged in the business for which a license is required pursuant
12 to § 36-25-17, before January 1, 1999, in a municipality of less than fifteen hundred population
13 as shown by the last federal decennial census, shall be licensed without examination, upon
14 payment of the fee established by the commission in a rule promulgated pursuant to chapter 1-26.
15 After July 1, 2000, the commission may waive certain licensing requirements for applicants in
16 a municipality of less than fifteen hundred population as shown by the last federal decennial
17 census, if the applicant passes an examination given by the commission to show that the person
18 knows the laws and rules governing plumbing.

19 Section 4. That chapter 36-25 be amended by adding thereto a NEW SECTION to read as
20 follows:

21 The commission shall provide or arrange for training programs on the plumbing code and
22 applicable laws and rules governing plumbing for persons licensed under section 3 of this Act.